

State of South Dakota

EIGHTY-EIGHTH SESSION LEGISLATIVE ASSEMBLY, 2013

862U0087

HOUSE EDUCATION ENGROSSED NO. **SB 80** - 02/20/2013

Introduced by: Senators Maher, Begalka, Bradford, Brown, Frerichs, Lucas, and Sutton and Representatives Sly, Bartling, Feickert, Hawley, Heinert, Hoffman, Hunhoff (Bernie), Killer, Kopp, May, Nelson, Olson (Betty), Parsley, Russell, Schaefer, Schrempp, Stevens, Tyler, Verchio, and Wismer

1 FOR AN ACT ENTITLED, An Act to reinstate certain provisions repealed in the Eighty-
2 seventh Legislative Session regarding the accounting for federal impact aid.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 13-13-11.1, which was repealed in the Eighty-seventh Legislative Session,
5 be reinstated to read as follows:

6 13-13-11.1. For the purpose of distributing state aid to education under the provisions of
7 §§ 13-13-10.1 to 13-13-41, inclusive, funds received from the federal government under the
8 provisions of Title VIII of the Elementary and Secondary Education Act for basic support shall
9 be included in total general fund revenue at the times the funds are transferred from the Title
10 VIII of the Elementary and Secondary Education Act fund to the school district funds. For the
11 purposes of distributing state aid to special education under the provisions of § 13-37-36.1,
12 funds received from the federal government under Title VIII of the Elementary and Secondary
13 Education Act funds add on for children with disabilities shall be deposited into the school



1 district special education fund.

2 Section 2. That § 13-16-30, which was repealed in the Eighty-seventh Legislative Session,
3 be reinstated to read as follows:

4 13-16-30. Any funds received from the federal government under the provisions of Title VIII
5 of the Elementary and Secondary Education Act for basic support may be deposited into the
6 Title VIII of the Elementary and Secondary Education Act fund.

7 Section 3. That § 13-16-31, which was repealed in the Eighty-seventh Legislative Session,
8 be reinstated to read as follows:

9 13-16-31. The Title VIII of the Elementary and Secondary Education Act fund shall serve
10 as a fund from which transfers shall be made to the funds enumerated in § 13-16-2. A school
11 district may not make expenditures out of its Title VIII of the Elementary and Secondary
12 Education Act fund. Transfers out of the Title VIII of the Elementary and Secondary Education
13 Act fund shall be made at the discretion of the school board.